

REMARKS

Claim 6 has been amended to correct a spelling error identified in the Examiner's Objection. No other amendments have made in the claims.

The application now includes claims 6-10, 16-20 and 22-23.

Claims 6-10, 16-20, and 22-23 have been rejected as being obvious over a combination of U.S. Patent 6,310,962 to Chung in view of U.S. Patent 6,374,036 to Ryan. This rejection is traversed.

The cited references, alone or in combination, teach table data defining an instruction corresponding to bit-data included in a part of an electronic watermark. As explained in the application on page 8, lines 19-23, the digital contents (501 in Figure 5) contain image data into which the watermark is inserted and a table file (505) defining the low order four bits of the watermark. A computer 502 reproduces the digital contents and detects the watermark, and the image data is reproduced on screen 503 and character information is displayed on screen 504. As explained on page 12, lines 1-3 the number of bits of the watermark can vary; however, contrary to assertions made in the office action, dependent claims 7 and 17 clearly require that the electronic watermark is eight bit data and the bit data is four bit data.

The office action takes the position that "Ryan discloses the watermark containing instructions such as 'copy-once', 'copy-never', 'copy no more', etc.", and that "These instructions are performed according to the electronic watermark" (see page 3 of the office action). These assertions are simply incorrect. In Ryan, each instruction for each bit is pre-determined. Therefore, no table data is needed at the decoding device. With an arrangement as described in Ryan, where the instruction is pre-determined, there is a significant limitation as to what can be done at the detecting device based on the electronic watermark information embedded in the image.

Why does Ryan pre-determine the instruction for each bit? This is because Ryan simply focuses on the copy protection of video material (See Ryan at column 1, lines 15-17). In sharp contrast, as is discussed in the present application, two bits in a watermark are defined to be used for CCI (copy protection) by the electronic watermark promotion organization (see page 6, at lines 1-6). Ryan

simply does NOT recognize the need to use other reserved bits for other purposes. In contrast, the present inventors do recognize this need (see page 6, lines 7-10 of the application). The present invention, provides the solution for this need with the table data, and according to the present invention, the decoding device DOES perform an action based on bit data included in a part of an electronic watermark.

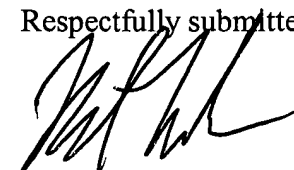
Claims 6, 16 and 22 each require table data defining an instruction corresponding to bit data included in a part of an electronic watermark and a circuit which performs processing according to the instruction. Neither Ryan nor Chung teaches the use of table data as discussed in the claims. Thus, no combination of the references would make the claims obvious to one of ordinary skill in the art. That is, the references do not provide any suggestion or teaching with respect to the need to use the reserved bits in the watermark, and there would be no motivation to combine the references as suggested by the Examiner since such a combination would still not teach or make obvious the table data contemplated by the present invention. As such, no *prima facie* case for obviousness has been established under MPEP 2142, and the rejection should now be withdrawn.

In view of the above, reconsideration and allowance of claims 6-10, 16-20, and 22-23 at an early date is requested.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

A provisional petition is hereby made for any extension of time necessary for the continued pendency during the life of this application. Please charge any fees for such provisional petition and any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041 (Whitham, Curtis & Christofferson, P.C.).

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael E. Whitham', is written over the typed name.

Michael E. Whitham
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